



Licensing (Scotland) Act 2005

2005 asp 16

PART 9

MISCELLANEOUS AND GENERAL

Procedures, forms etc.

136 Fees

- (1) The Scottish Ministers may by regulations make provision for the charging of fees by Licensing Boards—
 - (a) in respect of applications under this Act, and
 - (b) otherwise in respect of the performance of functions by Licensing Boards, councils and Licensing Standards Officers under this Act.
- (2) Regulations under subsection (1) may, in particular—
 - (a) specify fees or provide for them to be determined by reference to such factors as may be specified in or determined under the regulations,
 - (b) provide for annual or other recurring fees,
 - (c) provide for the remission or repayment of fees in such circumstances as may be specified in or determined under the regulations.
- (3) Before making any regulations under subsection (1) (other than regulations consolidating other regulations), the Scottish Ministers must consult—
 - (a) such body or bodies as appear to them to be representative of the interests of—
 - (i) Licensing Boards,
 - (ii) councils, and
 - (iii) those likely to be affected by the regulations, and
 - (b) such other persons (if any) as they think appropriate.
- (4) Where regulations under subsection (1) provide for a fee to be charged in respect of any application made to a Licensing Board under this Act, the Board need not consider the application unless and until the fee is paid.
- (5) Any fee chargeable by a Licensing Board under any regulations made under subsection (1) is to be paid to the clerk of the Board.

Status: This is the original version (as it was originally enacted).

- (6) The clerk of a Licensing Board must pay any sums received under subsection (5) to the relevant council.